GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps Department – Sri M. Pitchaiah, Sub-Registrar, Rapur (Retired on 31.10.2009) - Disciplinary Proceedings initiated – Imposed a punishment of 25% cut in pension permanently – Charged Officer filed OA No.7235/2012 – A.P. Administrative Tribunal set aside the punishment orders –further action dropped - Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.7 Dated:04.01.2017

Read the following:

1) From the DIG (Vigilance), R&S, Guntur, Preliminary Enquiry report No.DIG (Vig)/Guntur/P.1/2009, dated: 29.05.2009.
2) From the D.I.G., R & S, Nellore, Charge Memo.No.A1/77/2009, dated: 10.08.2009.
3) From Sri M.Pitchaiah, former SR, Rapur, Written Statement of Defence dated: nil.
4) From the DR (MV&A), Nellore & REO, Lr.no.21/1 of 2010, dated: 10.11.2010.
5) From the DIG, R&S, Nellore, Show Cause Notice No.A1/77/2009, dated: 15.01.2011.
6) From Sri M.Pitchaiah, former SR, Rapur, Final Written Statement of Defence dated:nil.
7) From the D.I.G., R & S, Nellore, Lr.No.A1/77/2009, dated: 14.03.2011.
8) Govt. Memo No.25943/Vig.VI (1)/2011-2, dated: 18.10.2011.
9) Representation of Sri M.Pitchaiah, retired SR, Nellore, dated: 30.11.2011.
10) From Secretary, APPSC, Lr.No.577/RT/2/2013, dt.15.3.2013 & 23.05.2013.
11) G.O.Rt.No.567, Revenue (Vig.VI) Department, dt.14.11.2013.
12) Orders of APAT in OA No.7235/2012, dt.22.4.2016.

* * * * *

ORDER:

It was brought to the notice of Government that based on the preliminary enquiry report of the Deputy Inspector General (Vigilance), Registration & Stamps, Guntur and instructions of the Commissioner & Inspector General, Registration & Stamps, AP, Vijayawada, the Deputy Inspector General, Registration & Stamps, Nellore framed the following articles of charges against Sri M.Pitchaiah, the then Sub Registrar, Rapur, Nellore Dist vide reference 2nd read above.

Charge-I:

"……. Registered 'Adavi Poramboke' Lands relating to Pangili Village in 14 documents which are relating to the Sub-Registrar Office, Rapur Jurisdiction as Doct.Nos.573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585 and 586 of 2008 by violating the Government Orders and thereby contravened Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964."

Charge-II:

"…….. Registered 14 documents which are relating to the Adavi Poramboke land in Sy.No.1 of Pangili Village of S.R.O., Rapur Jurisdiction as Doct.Nos. 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585 and 586 of 2008 failed to take note of the Rapur Tahsildar's letter No.R.C.B.553/2007, dated 29.10.2007 giving

[Continued..2]

rise to registration of prohibited land prescribed under Section 22-A of Indian Registration Act and thereby you have contravened Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964."

2. Whereas in the reference 11th read above, Government after careful examination of the matter and following due procedure, concluded the disciplinary proceedings duly imposing a punishment of withholding of 25% cut in pension permanently against Sri M.Pitchaiah, former Sub-Registrar (Retired), Rapur, Sri Potti Sri Ramulu Nellore District. Aggrieved by the punishment orders, the Charged Officer filed OA No.7235/2012 before Hon'ble Andhra Pradesh Administrative Tribunal with a request to direct the respondents for sanction of full pensionary benefits along with arrears. Government also filed counter affidavits in the above OA.

3. Whereas in the reference 12th read above, the Hon'ble Andhra Pradesh Administrative Tribunal observed and delivered following judgment:

> "…T*he Regular Enquiry Officer gave a categorical finding that the documents registered by the applicant related to property other than Adavi Poramboke lands. Therefore, the question of applicant ignoring the letter of the Tahsildar dt.29.10.2007 does not arise. The dissent note would have been valid, had the land been Adavi Proamboke land, but in this case the categorical finding of the enquiry officer based on the evidence is that it is a patta land. Therefore, I hold that there are no grounds for the disciplinary authority to disagree with the findings of the enquiry officer and then hold the charge proved against the applicant. The basis on which the charges are held proved is without evidence and contrary the well reasoned findings of the enquiry officer. Therefore, I hold that the penalty imposed on the basis of the above dissent note cannot be held valid in law. For the reasons stated above, the OA is allowed by setting aside the impugned G.O.Rt.No.567, dt.14.11.2013 with a direction to the respondents to release the withheld pensionary benefits to the applicant within a period of four months from the date of receipt of a copy of the order."*

4. Government after careful examination of the matter and keeping in view of the orders of Hon'ble Andhra Pradesh Administrative Tribunal, have decided to drop further action against Sri M.Pitchaiah, former Sub-Registrar (Retired), Rapur, Sri Potti Sri Ramulu Nellore District and accordingly hereby order to drop further action against Sri M.Pitchaiah, former Sub-Registrar (Retired), Rapur, Sri Potti Sri Ramulu Nellore District.

5. The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada/ the Deputy Inspector General, Registration & Stamps, Nellore shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Individual.
(through Deputy Inspector General, Registration and Stamps, Nellore)
The Director and Inspector General, Registration and Stamps, A.P.,
Eedupugallu, Vijayawada.

[Continued.3]

The Deputy Inspector General, Registration and Stamps, Nellore.
The District Treasury Officer, Nellore.

Copy to:

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER